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4-1801
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Derek D. Mahoney, Walter P. Sjursen, Wayne J. Staab and Marvin Leedom

Application No.: 09/524,040

Group: 2743

RECEIVED

Filed: March 13, 2000

APR 17 2001

For: ONE-SIZE-FITS-ALL UNI-EAR HEARING INSTRUMENT

Technology Center 2600

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>4/9/01</u>	<u>Julie Kertzak</u> Signature
<u>Julie KERTZAK</u> Typed or printed name of person signing certificate	

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

Prior to examination on the merits, please amend the above identified application as follows:

In the Specification

Please replace the paragraph at page 4, lines 13 through 25 with the following paragraph:

Despite numerous attempts including those described above, there remains a need for a mass-produced hearing instrument that is relatively inexpensive, readily adaptable to an individual's anatomical and audiological requirements, and that is inconspicuous and lightweight. It has been discovered that the development of a prosthetic device that occupies the

OPIE
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Date

Signature

Julie Kertyzak

Typed or printed name of person signing certificate

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith is Preliminary Amendment for filing in the above-identified application.

[] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.

[] A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The fee has been calculated as shown below:

(COL. 1)	(COL. 2)	(COL. 3)	SMALL ENTITY	OTHER THAN SMALL ENTITY
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	
TOTAL	18	MINUS * 20	0	
INDEP 6 MINUS ** 6 0				
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				
X	\$ 9	\$	RATE	ADDET. FEE
X	\$40	\$		
+	\$135	\$		
			OR	
X	\$18	\$ 0	RATE	ADDET. FEE
X	\$80	\$ 0		
+	\$270	\$		

* not fewer than 20

** not fewer than 3

TOTAL = \$ 0TOTAL = \$ 0

Please charge Deposit Account No. 08-0380 for the following fees:

[] Petition for [] month Extension of Time \$ _____
[] Amendment Fee \$ _____
[] Other Fees: _____ \$ _____

TOTAL: \$ 0

A check is enclosed in payment of the following fees:

[] Petition for [] month Extension of Time \$ _____
[] Amendment Fee \$ _____
[] Other Fees: _____ \$ _____

TOTAL: \$ 0

[X] A general authorization is hereby granted to charge Deposit Account No. 08-0380 for any fees required under 37 C.F.R. 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Leo R. Reynolds
Leo R. Reynolds
Registration No.: 20,884
Telephone: (781) 861-6240
Facsimile: (781) 861-9540

Lexington, Massachusetts 02421-4799

Dated: 4/9/01